

NONPROFIT ORGANIZATION

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.27(a)(3)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: McGill University
ADDRESS OF ORGANIZATION: 845 Sherbrooke Street, West
Montreal
Québec H3A 2T5
Canada

TYPE OF ORGANIZATION:

- CHECK ONE a) ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
b) ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3))
c) ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA -- (NAME OF STATE _____)
(CITATION OF STATUTE _____)
d) ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
e) ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA -- (NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. 1.27(a)(3) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in regard to the invention, entitled COMPOSITION FOR ACCELERATING SEED GERMINATION AND PLANT GROWTH by inventor(s) SMITH et al. described in

- a) ☐ the specification filed herewith.
b) ☐ provisional application serial no. _____, filed _____.
c) ☒ non-provisional application serial no. 09/744,129, filed June 21, 2001.
d) ☐ patent no. _____, issued _____.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as person under 37 C.F.R. 1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.27(a)(2) or a nonprofit organization under 37 C.F.R. 1.27(a)(3).

NAME Bios Agriculture Inc.
ADDRESS 2111 Lakeshore Road, Sainte-Anne-de-Bellevue, Québec H9X 3V9, Canada
a) ☐ PERSONS b) ☒ SMALL BUSINESS CONCERN c) ☐ NONPROFIT ORGANIZATION
NAME _____
ADDRESS _____
a) ☐ PERSONS b) ☐ SMALL BUSINESS CONCERN c) ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. 1.27(g)(2)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of

Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereof, or any patent to which this verified statement is directed.

NAME: Richard Bruno Ph.D.
TITLE: Director Office of Technology Transfer
ADDRESS: 3550 University Street
Montreal Quebec H3A 2A7

SIGNATURE: 

DATE: June 8, 2005

* Separate statements should be obtained from each named person, concern, or organization having rights to the invention as to their status as small entities.



Office de la propriété
intellectuelle
du Canada

Canadian
Intellectual Property
Office

Un organisme
d'Industrie Canada
www.opic.gc.ca

An Agency of
Industry Canada
www.cipo.gc.ca



GOUDREAU GAGE DUBUC
Tour de la Bourse
Bureau 3400
C.P. 242, 8000 Place-Victoria
MONTREAL Quebec
H4Z 1E9

Date : 2002/06/04

Votre référence/Your Reference :
12331.23

ENREGISTREMENT/REGISTRATION 05167870

CESSION DROIT EXCLUSIF
ASSIGNMENT FULL INTEREST

DE/FROM

BO, PAN; HABIB, AHSAN; DENG, YINGHAI; ZHANG, FENG; SMITH, DONALD L.;
PRITHIVIRAJ, BALAKRISHNAN; MIGNER, PIERRE

A/TO

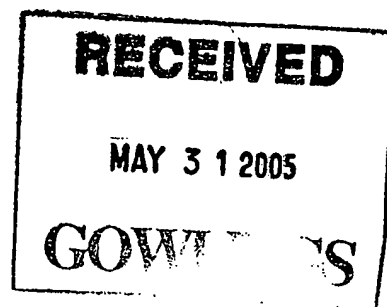
MCGILL UNIVERSITY; BIOS AGRICULTURE INC.

Un document a été enregistré au Bureau des
brevets, visant le ou les numéros de brevet(s) et/ou
de demande(s) de brevet, apparaissant ci-dessous.

A document has been registered in the Patent Office,
against the following patent(s) and/or application(s)
for patent.

DEMANDE(S)/APPLICATION(S)

2,338,108



J. Tulsiram

Commis aux cessions de brevets/Patent Assignment Clerk

Canada

OPIC  CIPC



SMALL BUSINESS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. 1.27(a)(2)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- a) ☒ the owner of the small business concern identified below:
b) ☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Bios Agriculture Inc.
ADDRESS OF CONCERN: ~~2111 Lakeshore Road~~ 145 Turnbull Court Ar.
~~Sainte-Anne-de-Bellevue~~ Cambridge Ontario
~~Québec H9X 3V9, Canada~~ N1T 1C6 Canada

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121 and in 37 C.F.R. 1.27(a)(2), and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled COMPOSITION FOR ACCELERATING SEED GERMINATION AND PLANT GROWTH by inventor(s) SMITH et al. described in

- a) ☐ the specification filed herewith.
b) ☐ provisional application serial no. ___, filed ____.
c) ☒ non-provisional application serial no. 09/744,129, filed June 21, 2001.
d) ☐ patent no. ___, issued ____.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a person under 37 C.F.R. 1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.27(a)(2) or a nonprofit organization under 37 C.F.R. 1.27(a)(3).

NAME: McGill University

ADDRESS: 3655 Drummond, Montreal, Québec H3G 1Y6, Canada

- a) ☐ PERSON b) ☐ SMALL BUSINESS CONCERN c) ☒ NONPROFIT ORGANIZATION

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereof, or any patent to which this verified statement is directed.

NAME: ALISON McIVER
TITLE: PRESIDENT
ADDRESS: 145 Turnbull Court, Cambridge, Ontario, Canada N1T 1C6
SIGNATURE: Alison McIver Date: 30th May 2005

* Separate statements should be obtained from each named person, concern, or organization having rights to the invention as to their status as small entities.



NONPROFIT ORGANIZATION

DECLARED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. 1.27(a)(3)) - NONPROFIT ORGANIZATION

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b) ☒ SMALL BUSINESS CONCERN

c) ☐ NONPROFIT ORGANIZATION

NAME

ADDRESS

a) ☐ PERSONS

b) ☐ SMALL BUSINESS CONCERN

c) ☐ NONPROFIT ORGANIZATION

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Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereof, or any patent to which this verified statement is directed.

NAME:

TITLE:

ADDRESS:



SIGNATURE: _____

DATE: _____

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Intellectual Property
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d'Industrie Canada
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An Agency of
Industry Canada
www.cipo.gc.ca

AgriBioTech
280001140CA

GOUDREAU GAGE DUBUC
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C.P. 242, 8000 Place-Victoria
MONTREAL Quebec
H4Z 1E9



Date : 2002/06/04

Votre référence/Your Reference :
12331.23

ENREGISTREMENT/REGISTRATION 05167870

CESSION DROIT EXCLUSIF
ASSIGNMENT FULL INTEREST

DE/FROM

ZHANG, FENG; SMITH, DONALD L.; PRITHIVIRAJ, BALAKRISHNAN; MIGNER,
PIERRE; HABIB, AHSAN; DENG, YINGHAI; BO, PAN

A/TO

BIOS AGRICULTURE INC.

Un document a été enregistré au Bureau des
brevets, visant le ou les numéros de brevet(s) et/ou
de demande(s) de brevet, apparaissant ci-dessous.

A document has been registered in the Patent Office,
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for patent.

DEMANDE(S)/APPLICATION(S)

2,338,108

RECEIVED

MAY 31 2005

GOWLINGS

J. Tulsiram

Commis aux cessions de brevets/Patent Assignment Clerk

Canada

OPIC  CIPC